



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,167	04/25/2001	Michael G. Foulger	2222.9470001	4114

26111 7590 05/12/2008  
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 NEW YORK AVENUE, N.W.  
WASHINGTON, DC 20005

EXAMINER
----------

VAN DOREN, BETH

ART UNIT	PAPER NUMBER
----------	--------------

3623

MAIL DATE	DELIVERY MODE
-----------	---------------

05/12/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

***Advisory Action***

1. The following is in response to the after final communications received 05/05/08.
2. Applicant's arguments with regard to Carpenter et al. have been fully considered, but they are not persuasive. In the remarks, Applicant argues that even if the U.S. Provisional Patent Application No. 60/180,368 (hereinafter "the Carpenter Provisional") discusses storing documents and making them searchable as well as returning a proportion of the entire pool of resumes, this is not equivalent to calculating a ratio of resumes associated with a matched employment market category to job listings associated with the matched employment market category.

Examiner respectfully disagrees. With regards to the "calculating a ratio" feature, examiner notes that she relied on Carpenter et al., specifically paragraphs 0046-7, 0054-6, to teach this limitation. Carpenter et al. specifically discloses processing and indexing documents. Documents are classified as job-postings, resumes, or irrelevant. The classification further includes location information (city, state, and zip code). Through this process, the document becomes searchable, such as by city, state, etc. See paragraphs 0042-3. See also paragraphs 0044-5 and 0049-50 for context. After the information above is stored in the system, the resumes and job listings are matched. Carpenter states that a search is performed on the resumes and a set of resumes with a relevant percentage rate are returned as good matches. Therefore a proportion of the entire pool of resumes is returned as results to the search, these associated with the job listings. See paragraph 0054.

Looking to the provisional for support that the inventor had possession of the invention at time of filing, the provisional application of Carpenter et al. discusses such storing document and

Art Unit: 3623

making them searchable (See at least pages), as well as returning a proportion of the entire pool of resumes (See at least pages 2, 4, 7-9, which discloses the concept based searching technology. See pages 12, 16, 19, where search results that are gained that are a portion of the entire pool).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BETH VAN DOREN whose telephone number is (571)272-6737. The examiner can normally be reached on M-F, 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 571-272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/B.V.D/  
May 7, 2008

/Beth Van Doren/  
Primary Examiner, Art Unit 3623